

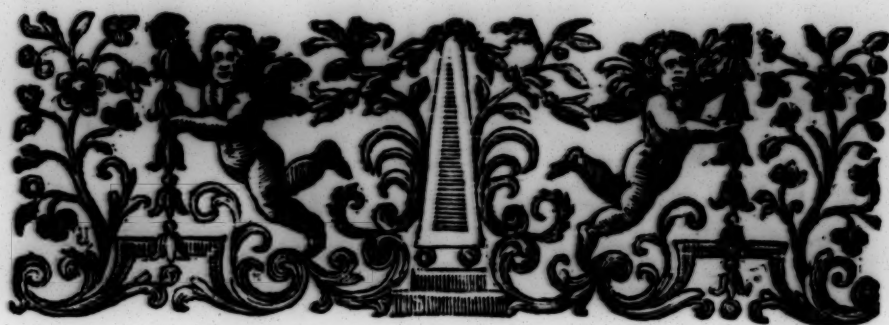
A N
EXAMINATION
OF THE
QUAKERS
BRIEF ACCOUNT:

In Behalf of the
CHURCH - MEN
OF THE
DIOCESE *of* HEREFORD.



L O N D O N:
Printed for J. ROBERTS in *Warwick-Lane.*
M DCC XLI.
Price 6d.

424



A N
 EXAMINATION
 OF THE
QUAKERS
 BRIEF ACCOUNT, &c.

IT being well known that the People called *Quakers* do profess a conscientious Scruple against the Payment of Tythes, and all forced Contributions for Maintenance of Ministers and other Religious Uses, we must not wonder if we find them continually trying and endeavouring to get themselves *exempted* from being obliged, by the Laws of the Land, to make any such Payments at all; or at least, under Pretence of getting general Grievances redressed, attempting to procure a *New Law*,

[4]

so modified and contrived as to make the Recovery of such Demands as easy and favourable as possible to *themselves*; and, at the same time, so unsatisfactory to those *Church-men*, whom they will lay under a Necessity of suing for them, as to weary them out with the Vexatiousness of the Method, and make them choose rather to sit down with the Loss of their Right, than be obliged constantly to undergo so much Trouble and Fatigue in the Recovery of it.

With such Expectations accordingly, as it is natural to believe, they have some time since applied to the Legislature: pretending that the *Church-men* (when oblig'd by *them* to sue for their Legal Dues as before mention'd) *maliciously* choose to prosecute them in the *Exchequer*, *Ecclesiastical*, and other *Courts*, in a most *rigorous*, *expensive*, and *ruinous* manner, when there is an *easy*, *cheap*, and in all respects more *agreeable* way always at hand, *viz.* that of convening the *Quaker* before two Justices of the Peace; as, by the 7th and 8th of King *William III.* they are impower'd and left at Liberty to do. What therefore the *Church-man*, being left at Liberty, may not always choose, the *Quaker* would have him, by a *new Law*, be restrained and *compelled* to do; which is, to go that way

[5]

way to work for the Recovery of his Right which will be best for the *Quaker*, and be precluded from having Recourse to any of the *stated Courts* of Judicature; to which, upon all other Occasions, the Subjects of this Realm, and among others the *Quakers* themselves, do choose to apply for the Recovery of their Rights, whenever they are *unjustly* and *illegally* withheld from them. One of their own Writers confesseth, * “ That their Views do not
 “ finally terminate and rest in the more
 “ easy Recovery of *Tythes*, *Church-Rates*,
 “ &c. which they esteem a legal Ceremony abrogated by the Gospel of *Christ*,
 “ and a Yoke of Bondage: But that their
 “ present Request is only, That this *Jewish*
 “ Burden, heavy in itself, may not be
 “ made insupportable by the additional
 “ Severity of their *Task-masters*.

But because some better Proof of these *needless* and *cruel* Prosecutions might justly be expected than their bare Surmise of them, they published a Book intituled,
 “ A Brief Account of many of the Prosecutions of the People called *Quakers*, in
 “ the *Exchequer*, *Ecclesiastical*, and other
 “ Courts, for Demands recoverable by the
 “ Acts made in the 7th and 8th Years of

* *Rem. on Def. of London*, p. 30, 31.

“ the

“ the Reign of King *William III.* for the
 “ more easy Recovery of *Tythes, Church-*
 “ *Rates, &c.* humbly submitted to the
 “ Consideration of the Members of both
 “ Houses of Parliament.” Which Account, they tell us, contains no less than 1180 Prosecutions of that Sort; where the Sums sued for might have been recovered with more Ease and less Expence to both Parties, the *Church-man* as well as the *Quaker*, without having been carried into the *Exchequer, Ecclesiastical*, or any other Court. A Charge, which if true, would make the *Church-men* appear to have acted in a Blame-worthy manner; but, if false, must redound to the Shame and Confusion of *those* who have brought it against them.

If, for Instance, it should appear that some of those Prosecutions were for Demands due before the said Acts were made; or that the Quantity or Value of the Things demanded could not be come at and ascertain'd before the Justices; or, in short, that it would have been in any respect more incommodious for the *Church-man* to have applied to the *Justices* than to the Courts; in all and every of these Cases the *Quakers* have misrepresented things, and their Instances must be insignificant to the Purpose for which they were intended. For-

[7]

Forasmuch therefore as many, (zealously and piously concerned for the Honour and Security of the Church of *England* in general, of which they are so happy as to be Members,) have taken in hand to examine the said *Brief Account*, as far as it affects the several *Dioceses* to which they belong; from the same Motives is the following *Examination* made publick, on account of those *Seven Prosecutions* which relate to the *Diocese* of *Hereford*.

Brief Account, Page 59.

1701. James Whetham of Bromyard *was prosecuted in the Exchequer for Great Tythes under 10 l. Value, at the Suit of Christopher Capper, Farmer of the Tythes there.*

A N S W E R.

Capper, who was a Lay-Farmer of the Improprate Tythes of *Bromyard*, and *Whetham* the *Quaker* abovemention'd having been both dead several Years, we know not how to give a particular Answer to this Charge; and therefore must leave it to the charitable Judgment of the candid Reader.

Brief Account, Page 59.

1706. James Whetham *aforesaid was prosecuted*

[8]

secuted in the Exchequer for Small Tythes and Easter-Offerings for 15 or 16 Years, at the Suit of Thomas Fox, Clerk.

A N S W E R.

Mr. *Fox* being likewise dead, the whole Truth and Circumstances of this Case cannot be certainly known. But, if we look 15 or 16 Years backward from the Year 1706, it will appear that five or six Years Tythes and Offerings were sued for, which became due before the Statute of the 7th and 8th of King *William III.* commenced, which was in the Year 1696. For these therefore a Complaint before the Justices could have brought Mr. *Fox* no Relief.

And here it may be observ'd, that of this kind of Misrepresentation there are at least thirty Instances, by their own Acknowledgment, in the Marginal References of their *Brief Account*, in the following Pages, 18, 28, 33, 48, 53, 55, 56, 59, 61, 62, 69, 91, 92. *ibid. ibid.* 99. *ibid.* 100, 102, 105, 106, 110, 123, 128, 129. *ibid.* 136, 143, 157, 162. And there is reason to suspect the Case may have been the same in, at least, as many more Instances, under the Years 1696-7-8-9, though *they* have not chanced to mention them.

Brief

Brief Account, Page 178.

1718. William Osborne was prosecuted in the Ecclesiastical Court for Tythes, at the Suit of Thomas Cooper Parson of Haberly, and George Lewellen Parson of Condover.

A N S W E R.

This Instance, though placed by the *Quakers* among those that belong to *Wales*, being in that Part of *Shropshire* which is in the Diocese of *Hereford*, may most properly, according to the Date it bears, be taken notice of here: And the Reflexions upon the two Clergymen above-mentioned, being very scandalous and abusive in the Marginal References of the *Brief Account*, we must desire the Reader to compare them with the following Letter, written by Mr. Pyle Deputy-Register of the Bishop's Court at *Hereford* to a Clergyman in *London*.

Hereford, 20th May, 1738.

Reverend Sir,

‘ I HAVE stretch’d the Promise I made
 ‘ you in relation to *William Osborne* be-
 ‘ yond the Time which I thought would
 ‘ have been sufficient for my Inquiries
 B ‘ con-

' concerning the Complaint of Prosecu-
 ' cutions in *Shropshire*. But my Endeavours shew his Insincerity in one of the
 ' Cases; and, to find out real Truth in
 ' the other, has given me more Trouble
 ' than I expected to meet with. His Com-
 ' plaint, as it relates to Mr. *Thomas Cooper*
 ' the late Rector of *Haberly* (now de-
 ' ceased) I may venture to affirm is false
 ' and without a Foundation. I have care-
 ' fully search'd my Books for the Year
 ' 1718, and for some time before and af-
 ' ter; but nothing of any such Prosecution
 ' appears in them, as it would have done
 ' if there had been any. I have moreover
 ' had recourse to my Entries and Accounts
 ' of that Time, and am morally certain
 ' that there was not so much as a Pro-
 ' cess sent out against him at the Suit of
 ' Mr. *Cooper*.

' In the Year 1718 Mr. *George Lewellen*,
 ' Rector of *Pulverbach*, brought an Action
 ' against him for Subtraction of Tythes;
 ' and *William Osborne*, for his Contempt, in
 ' obstinately refusing to make his Affirma-
 ' tion instead of an Oath, to make true An-
 ' swer to the Libel, was excommunicated.
 ' And Mr. *Lewellen* sends me Word that
 ' soon after the Excommunication had
 ' been published, *W. Osborne* left *Shrop-*
 ' *shire*, and remov'd (he thinks it was) in-
 ' to

[11]

‘ to *Worcestershire*, and there boasted
 ‘ how he had cheated the Parsons: And
 ‘ Mr. *Lewellen* lost both Debt and Charges.
 ‘ This is the best Account that can be
 ‘ given of this Matter by, Sir,

Your most humble Servant,

Ric. Pyle.

[*Condover is in the Diocese of Lich. and Cov.*]

Brief Account, Page 59.

1725. William Osborne of Eye was prosecuted in the Exchequer for Tythes and Easter-Offerings at the Suit of Edward Giers Rector of Bishops-Froom, where he had formerly lived.

A N S W E R.

This is the *William Osborne* beforementioned; whom we find moving from County to County, and from Parish to Parish, as if on purpose to quarrel with, and then to abuse and misrepresent the Churchmen. Take the following Account as given of this Particular Instance by Mr. *Geers* himself.

Finding myself, under the Name of *Edward Giers* Rector of *Bishops Froom* in the County of *Hereford*, represented as having persecuted one *William Osborne* a Quaker, because I preferr'd a Bill against him

[12]

him in the Court of *Exchequer*, I have drawn up the following true Representation of the Affair.

In the Years 1723 and 1724, *William Osborne* a *Quaker* possessed a Farm in the Parish of *Bishops-Frome*; the Great and Small Tythes of which Farm are due to the *Vicar* of the said Parish, it being a *Vicarage* endow'd. I several times sent to the said *William Osborne*, desiring him either to compound with me for, or else to set out, his Tythes, as the Law directed; which he refused to do. Upon which Refusals I went, in a neighbourly and peaceful manner, to the said *William Osborne*, in hopes that I might persuade him to prevent a Prosecution at Law by some reasonable Compliance, letting him know that, if he continued obstinately to detain my just Dues, I should be forced to put the Law in Execution against him. In return for which civil Behaviour I received nothing but rude Language, being told by the said *William Osborne*, that my *Church* was a *Mass-house*, that I had a *Pope* in my Belly; with a deal more of such enthusiastical Cant and Railing, equally groundless, abusive and ridiculous. Having thus in vain endeavour'd to obtain my just Rights in a friendly manner, I applied to a neighbouring *Justice of the Peace*

Peace for a Warrant, to bring the said *William Osborne* to the next *Petty Sessions*: But, being desired by the said *Justice* to defer my Complaint at that time, because a great deal of Business was to come before that *Sessions*, and He, the said *Justice*, was obliged by an unavoidable Accident to hasten to *London*, I comply'd with the Request, and contentedly waited for another *Sessions*.

In the mean time *William Osborne* leaves his Farm and the Parish of *Bishops-Frome*. And I, being inform'd where he was gone, and that he had made a Deed of Sale of all that he was worth to one *Timothy Townsend* another *Quaker* (which Deed I had Reason to think was made with an Intention to defraud his Creditors, of which I was one) I applied to a neighbouring Attorney, who advised me to prefer a Bill against the said *William Osborne* in his Majesty's Court of *Exchequer*. This I accordingly did; and the Court granted an Attachment against the said *William Osborne*: which Attachment was never put in Execution. For finding, upon farther Advice, that if I would prosecute the Affair to any purpose, I must likewise prefer another Bill against the said *Timothy Townsend*, and the Mystery of Iniquity between the two *Quakers* not being easily

to be unravelled, and I being happily got rid of my troublesome Neighbour by the said *William Osborne's* leaving my Parish; I rather chose to lose my Debt (very moderately computed at the Value of fourteen Pounds) and afterwards to pay the Sum of two Pounds two Shillings to the Executor of my Attorney (who died in the mean time) than to carry on the Suit.

This is a just and true Representation of the whole Affair: And thus ended the dreadful Persecution the said *William Osborne* suffer'd; who from that time to this has liv'd intirely unmolested by me,

Bishops-Frome,
Ap. 9, 1738.

Timothy Geers Vicar of
Bishops-Frome.

Brief Account, Page 59.

William Osborne aforesaid was prosecuted in the Ecclesiastical Court for a Church-Rate (so called) at the Suit of *William Jones* Warden of *Yarpole*.

A N S W E R.

At the *Bishop* of *Hereford's* Visitation in the Year 1728, *William Osborne* was presented by *William Jones* and *William Deswall*, then Church-wardens of *Yarpole*, for refusing to pay his Church-Assessment;
and

[15]

and being summon'd by a Process of *Quorum Nomina*, he appear'd in the Court, and there again refused Payment: And so the Matter ended: For the *Church-wardens* did not think it worth while to prosecute it any farther. And, if *William Osborne* doth suggest that this Prosecution has cost him more than his coming ten Miles to the Court, the Spirit of Truth is not in him.

Attested by me *Ric. Pyle Dep. Regr.*

Brief Account, Page 59.

William Griffiths of *Canon Pyon* was prosecuted in the *Ecclesiastical* Court for about fourteen Shillings, demanded for *Easter-Offerings*, Tythes, and a Marriage Fee, at the Suit of *Thomas Husbands* Vicar.

A N S W E R.

Mr. Husbands is dead; But the Case may truly be represented thus. *William Griffiths* was bred up and continued a Member of the *Established Church*, 'till his Wife (as 'tis said) perverted him from it. When he was sued by *Mr. Husbands* (soon after his Marriage) he appeared in Court, and said, He could not in Conscience pay Tythes, for that he was one of the People called *Quakers*. But his Conscience gave way;
and

[16]

and he submitted to pay the *Vicar's Dues*, without any Censure of the Court or Severity of Law.

This I also attest, *Ric. Pyle*.

Brief Account, Page 59.

John Pugh of the Parish of *Kingsland* was prosecuted in the *Exchequer* for seven Pounds demanded at the Suit of *Thomas Watkins*, Tythe-Farmer.

A N S W E R.

Of this, *Mr. Watkins* gives the following Account in a Letter to *Mr. Pyle*.

S I R,

‘ I Have your Favour of the 8th Instant;
 ‘ in answer to which I am to tell you,
 ‘ that when I was Curate to *Dr. Davies*,
 ‘ of *Kingsland*, I held the *Tytbes* of one
 ‘ Township of the Parish; which was a
 ‘ Conveniency to the Doctor as well as to
 ‘ me; as it sav’d him the Trouble of
 ‘ reckoning, and paying me Salary every
 ‘ Quarter, and afforded me useful Business
 ‘ for my Man-servant, after he had taken care
 ‘ of my Horses and brush’d my Cloaths
 ‘ in the Morning.

‘ In this Township liv’d one *John Pugh*,
 ‘ who was, for many Years an *Anabaptist*:
 ‘ and during the time of his being of that
 Per-

[17]

‘ Persuasion, I believe his Tythes were
 ‘ paid well enough. Afterwards, he took
 ‘ it into his Head to become a *Quaker*;
 ‘ and, from that time, would not pay any
 ‘ Tythes or Dues to the Minister. I had
 ‘ Patience with him for several Years,
 ‘ sent many civil Messages to him to desire
 ‘ him to make Satisfaction for what he
 ‘ had withheld, used Persuasions and En-
 ‘ treaties to this Purpose from time to
 ‘ time; but all in vain: And, for all this
 ‘ kind Usage, I heard of nothing in return
 ‘ but opprobrious Language to my Servant,
 ‘ *Thy Master’s a Thief, a Robber, and by*
 ‘ *thy means steals from me what he has no*
 ‘ *right to.*

‘ I suffer’d this ill Treatment for several
 ‘ Years without giving him any Distur-
 ‘ bance, ’till I found the Dues withheld
 ‘ amounted to more than eight Pounds;
 ‘ and then I sent him a Particular of what
 ‘ I thought to be due, and order’d my
 ‘ Servant to call upon him several times
 ‘ for the Money. And, having no satis-
 ‘ factory Answer, after long waiting, I de-
 ‘ fired an Attorney to prefer a Bill against
 ‘ him in the *Exchequer*, for the Recovery
 ‘ of what had been so long withheld.
 ‘ Upon which, the whole Body of *Qua-*
 ‘ *kers* in *Leominster* applied to one of their
 ‘ Members of Parliament, and desired him

C

‘ to

‘ to use all his Influence and Interest with
 ‘ me to withdraw the Bill. This I readi-
 ‘ ly consented to do, on condition that the
 ‘ Debt and Charges were paid; which
 ‘ was a bitter Pill for some time, but at
 ‘ length complied with; and the whole,
 ‘ as I have been told, paid out of the Fund
 ‘ or Treasury of the Body of that People,
 ‘ in order to confirm the new Convert in his
 ‘ Perverseness and Obstinacy.

‘ The Tythes, withheld from me by
 ‘ *Pugh*, were (besides Grain) Hops and
 ‘ Apples, Wool and Lambs, which are of
 ‘ considerable Value in that Part of the
 ‘ County; and of such a Nature and
 ‘ Kind, that I knew well enough that it
 ‘ would be *impossible* for my Servant and
 ‘ Workman to give an Account upon Oath
 ‘ before a *Justice of Peace*, how many
 ‘ Hogsheads of Cyder, how many Stone of
 ‘ Wool, how many Lambs, and how many
 ‘ hundred Weight of Hops, the *Quaker*
 ‘ had detain’d from me in the Space of a-
 ‘ bout four Years. And I was also satisfied
 ‘ that, when we came before a *Justice*, I
 ‘ should hear nothing but the common
 ‘ Cant upon these Occasions, *Prove thy*
 ‘ *Due, Swear thy Due*. For these Reasons
 ‘ I thought myself well intitled to the so-
 ‘ lemn Affirmation of the *Quaker* in the
 ‘ *Exchequer*, as to the Quantity of Cyder
 ‘ he

‘ he had made in each Year, the Number
‘ of his Sheep and Lambs, and Bags of
‘ Hops.

‘ I have since talk’d with Mr. *Higgins*
‘ my Attorney, and he tells me, that *John*
‘ *Pugh* of *Kingsland* only enter’d an Ap-
‘ pearance to the Bill in the *Exchequer*,
‘ but never put in any Answer. That, as
‘ near as he can remember, *his* Bill for
‘ Costs was Six Pounds and some few
‘ Shillings, which he received, and the Se-
‘ ven Pounds due to me for Tythes un-
‘ justly kept back from me.

I am, Sir,

Your very humble Servant,

Tretyre, Apr. 10,
1738.

Tho. Watkins.

[*Mr. Watkins is since dead.*]

From an Examination of the *Seven* fore-
going Prosecutions the Reader may please
to observe, that no one of them appears
to be of such a Nature as the *Quakers*
have represented them. For, from the

First, Both the Parties, *James Whetbam*
and *Christopher Capper*, being long since
dead, we may as well in *Charity* presume
the *Church-man* had good Reasons for what
he did, as the *Quakers* uncharitably that he
had not. From the

C 2

Second,

Second, Of the said *Whetham* and Mr. *Fox*, it appears that the Demands of the latter were for Tythes and *Easter Offerings* due several Years before the Act of the 7th and 8th of King *William III.* commenc'd. From the

Third, Of *William Osborne* being prosecuted by Mr. *Cooper*, we are assured no such Thing is upon Record. It does appear indeed that he was prosecuted by Mr. *Lewellen*, but not that such Prosecution was *needless*. That it was neither *cruel* nor *expensive* the *Quaker* himself has prov'd, by his being forthwith at Liberty to remove into another *County*. Which we find he did accordingly, and made the *Church-man* lose both his Debt and Charges. From the

Fourth, Of the same *William Osborne* being prosecuted in the *Exchequer* by Mr. *Geers*, it is evident that he laid Mr. *Geers* under a *Necessity* of taking that Course with him, by a *second* time shifting his Habitation, and making over his Effects; and that the *cruel Expence* of the whole Prosecution fell upon the *Church-man*, by the fraudulent Dealing of the *Quaker*. From the

Fifth, Where *William Osborne* again, in a *third* Place, is prosecuted for a *Church-Assessment*, it appears that the Prosecution was dropt without any *Expence* or *Cruelty*

to

to him: And, to shew it was *needless*, the *Quakers* must prove that the *Church-Wardens* were appriz'd it would be an easier way for *them* to convene *William Osborne* before two *Justices of the Peace*, than to present him at the *Vistation*, to which they were oblig'd to come upon other Accounts. From the

Sixth, Where *William Griffiths* is prosecuted by *Mr. Husbands*, it does not appear that he was known to be a *Quaker* 'till he professed himself to be one in the Court; or that the Prosecution was either *expensive* or *cruel* to him. From the

Seventh and *last*, In the Case of *John Pugh*, the Prosecutor, *Mr. Watkins*, has declared his Demands were so circumstanced, as that the Value could not be ascertained before the *Justices*; and he appears to have known by Experience that he could not have obtained a satisfactory Redress there.

And I make no doubt but that, if all the rest of their 1180 Instances were considered in a true Light, they would appear to be equally insignificant as to proving *the Point in Question*; which is not, as the *Quakers* state it, " That all Prosecutions
" carried on in the *Exchequer*, and other
" Courts, for Demands recoverable by the
" Acts of the 7th and 8th of King
" *William*

“ *William III.* are to be counted *cruel*
 “ *Persecutions*, because it was * *in the*
 “ *Power*, and *at the Choice* of the Prose-
 “ cutors to have recovered them according
 “ to the Method allowed by the said Acts,
But (what they have not yet shewn, nor
 I trust ever will) “ That, of the two
 “ ways beforementioned, the Prosecutors
 “ are so *absurdly malicious* as ever to pre-
 “ fer that way which is most expensive
 “ and troublesome to themselves, purely
 “ to plague and vex others.” For, unless
 this can be made appear, nothing can be
 more unreasonable than to expect that *in-*
jur'd Men should be *compell'd* to make use
 of that which they take to be the most
difficult and *incommodious* way of *recover-*
ing their Right, merely to *ease and gratify*
those who are so *unjust* as to give them the
Trouble of Suing for it. An *Attorney* or a
Proctor may be spoke with or sent to with
 little or no *Trouble* at all: But how many
 Miles, and how many Times, may a Man
 go after some *Justices* before he can find
 them at home, and in a fit Temper to
 transact the Business he comes about!
 How uncertain is it whether one or other
 of the Parties, after all, may not think
 proper to appeal to the *Quarter-Sessions*, to

* *Remarks on Def. of Exam. of Lich. & Covent.* p. 42.
 be

be held at a Town ten or more Miles distant from their Habitation! And how more than possible, that the Affair may be carried into one of the *stated Courts* at last, upon a disputed Title or some other Pretence, in order to prolong the Suit and make it tedious and burdensome to the Prosecutor!

But, say the *Quakers*, our Consciences will not suffer us to pay Tythes, &c. at all; we think our selves * forbidden by the *Gospel* so to do; and that those who pretend to be *Followers*, and some of them *Ministers* of that *Gospel*, should have so much *Charity* for us, as not to prosecute us at all upon that Account; or at least, if they must prosecute, to choose that way of doing it which will be most easy and convenient for *us*, who are Sufferers for Righteousness sake, without being so *selfish* and *covetous* as to consult their *own* worldly Interest upon such an Occasion.

This being the Foundation of the *Quakers* Complaint, we will inquire a little into the State and Condition of it: not by entering into any Dispute with them about the *Scripture Doctrine* of Tythes; which every Child that has read its Testament can inform them were *customary* in the

* *Remarks on Def. of Lond. Diocese.* p. 22.

World long enough before the *Mosaical* Dispensation took place; and that *Levi* himself, in *Abraham*, paid Tythes to *Melchisedech*; the Order of whose Priesthood * *abideth continually*: The present Cause depending upon, not what People in their private Capacities and on their own Behalf shall please to think the *Scripture* intendeth, but upon what the Laws have wisely determined for the Good of the Whole. And yet it is worth while to observe with what *Meekness* and *Humility* the *Quakers* have decided this Point in their own Favour. “ † We know (say “ they) that our *ancient Testimony against* “ *Tythes* is still supportable by *Scripture*, “ though the Clergy have found that their “ *old Claim to them is not so. 'Tis possible* “ that, in this Point of Tythes, the *Qua-* “ *kers* Consciences may not yet be through- “ ly satisfied of what the *Clergies* Interest “ seems to have convinced them, *viz.* “ That the Laws of the Nation have a “ proper Authority to establish, in Cases “ of Religion, what *Christ* abolished, and “ to build again the things which he de- “ stroyed; and for that reason they *Chris-* “ *tianly* submit to the Penalties of the

* *Heb. vii. 3.*

† *Rem. on Def. of Lichfield and Coventry. p. 6.*

“ Laws,

“ Laws, that they may keep their Con-
 “ sciences conformable to the *Precepts* of
 “ the *Gospel*. For though the *Clergy*, in
 “ this Case of *Tythes* which ought to be
 “ decided by *Scripture*, choose to leave
 “ *that* and adhere to *the Laws of the Land*
 “ as the Standard of their Claim: Yet the
 “ *Quakers* may think it *their Duty*, and
 “ very consistent with their Pretensions to
 “ to be good and peaceable Subjects, to
 “ continue their reverent Regard to the
 “ *Holy Scriptures* as a Rule of their Con-
 “ sciences.

To which we need say no more than that,
 'Tis possible there may be no real Foun-
 dation for any of these scandalous Reflec-
 tions they have thought proper to cast up-
 on the *Clergy* of our *establish'd Church*, or
 for the finish'd Character they have given
 themselves. 'Tis possible the *Clergy* may
 think their *old Claim to Tythes* as support-
 able by *Scripture* as the *Quakers* their *an-*
cient Testimony against them; even by *that*
Scripture, which the *Quakers* (how chari-
 tably I know not) say *they choose to leave*,
 only because they see no Reason why, in
 this Particular, they may not *adhere to the*
Laws of the Land. Who gave them Au-
 thority to interpret *Scripture* for all the
 rest of Mankind? And why must the
Clergy of the Church of England, because
 D they

they do not understand the *Scripture* to mean as *Quakers* would have them, be branded with the vile Imputation of
 “ seeming to be convinced by their Interest
 “ That the Laws of the Nation have a
 “ proper Authority to establish, in *Cases*
 “ of *Religion*, what *Christ* abolished ? ”
Tis possible they may look upon the Case of establishing the Payment of Tythes as no *Case of Religion* at all ; any otherwise than as *Religion* requires *Christians* to submit themselves to every Ordinance of Man ; commands every Soul to be subject to the *Higher Powers* ; and bids them render to all their Dues, Custom to whom Custom, &c. And 'Tis possible also, they may be of Opinion that this *Subjection to the Higher Powers*, which the *Scripture* so expressly enjoins, consists partly in paying readily and without scruple all manner of Subsidies (however called) which the said *Higher Powers* may think proper to ordain for the Maintenance of that Government *Ecclesiastical and Civil*, over which Divine Providence hath placed them.

Where doth that *Scripture*, to which the *Quakers* profess themselves to be so conformable, give any countenance for disputing the Payment of National Appointments ? *Christ* himself, in a Case where he appears to have look'd upon the Exaction

as

as unreasonable, speaking of *the Kings of the Earth*, says to *Peter*, * *Lest we should offend them, go thou to the Sea and cast an Hook, and take up the Fish that first cometh up; and when thou hast opened his Mouth, thou shalt find a piece of Money; that take and give unto them for me and thee.* When desired to interpose concerning a Title and a Claim, in relation to worldly Property, with what Indignation doth he reject the Offer! saying, to him that advanced it, † *Man, who made me a Judge or a Divider over you?* And since our Laws require that every Person under such Circumstances shall pay a certain Proportion of his Possessions towards the Maintenance of our *established Religion*; and as it is the Duty of the King, who is *the Minister of God*, to see that every one of his Subjects shall have and enjoy that which the Law appropriates to him; For any to pretend *Scruples of Conscience* against the making such Payments as the Laws and the King's Courts of Judicature thus require them to make, what is it but acting contrary to the express Words of the *Gospel*; where *Christ* himself commands all *Christians* to render unto *Cæsar* the things that are *Cæsar's*.

* *Matthew* xvii. 27. † *Luke* xii. 14.

And the *Quakers* widely mistake the Case, when they † represent themselves as treated in a *cruel and unchristian* manner, by being *made Examples of to others for their Obstinacy about Religion*; when really and truly the Question is about *Money and the Things of this World*, and not about *Faith and those things that are God's*. Nor can they, though they would fain do it, bring their Case to tally in this respect with that of the *primitive Christians and Protestant Martyrs*; who suffered purely on account of Religion, and not for refusing to *pay* what the *Laws ordained*. Though, had they been of such a Spirit as our *Quakers*, how plausibly might either of them have refused the *paying* of all manner of *Tribute and Custom*, because they had just Reason to believe that some of it would go to the Support of *Idol-Worship*.

Nor can People believe, as the *Quakers* would have them, that those Prosecutions with all their terrible Consequences, which some of their Friends have undergone, are such † *convincing Proofs of their Sincerity*; but rather of *Obstinacy*, and the Hopes of tiring out their Prosecutors at

† *Vind. against Examination by Diocese of Lond.* p. 13.
 Marg. † *Preface to Brief Account* p. 4.

the long Run. For, if the *Refusal* of such Payments, and an utter *Persistence* in it, even to *Imprisonment*, *spoiling of Goods*, &c. be a *convincing Proof of Sincerity* in the *Quakers*, how Few of them have given that *Proof*!

But, to shew more effectually how unreasonable and unwarrantable it is to plead Scruples of Conscience from *Scripture* against the Payment of *customary* and *legal* Designations, let us suppose a *Sect* should arise and resolve to imitate the *first Christians*, as in other respects so, by having a *community of Goods*; and accordingly * *sell their Possessions and part them to all men as every man should have need*; and, the better to carry their Scheme into Execution, endeavour to seize upon the *Possessions* of other *Christians*, or at least to *withhold paying them their legal Demands*, out of a pretended Scruple of Conscience, and an Appeal to *Scripture* for the Justification of such a Scruple; Will the *Quakers* say such Men ought to be used with great *Tenderness*, and that it would be *Covetousness* and *Cruelty* not to let them have their way? For, as to Tythes, which they will by no means allow to be the *Property* of the Clergy because they belong to them by

* *Acts* ii. 45.

Appointment and not by Inheritance (which, by the way, is a mere Quibble, since it is the *Legal Title* in all cases that makes *Property*) whenever they *with-hold* the *Payment* of them, they *with-hold* that which, by their own Confession, is, by the Law, *the Property of the Church*; that which they † acknowledge the *Legislature* can *regulate* and *alter*, *alienate* and even *abolish* at pleasure. All which we will admit and join issue in; Because, by insisting upon this, they plainly allow that these Tythes are none of theirs who are called upon to pay them, but belong to those to whom the *Legislature* may at any time please to appropriate them.

When the *Quakers* have been rebuked for the many notorious Violations of *Christian Charity* they have been guilty of, in attempting to injure the Characters of the Clergy, by imputing their legal Endeavours to recover their Dues, to a Spirit of *Covetousness*, *Malice*, *Crueity*, *Revenge*, and I know not what, and have been told, *That they ought to judge charitably of the Intentions of those whose Motives of Action can now be grounded merely upon Conjectures*; they answer, ‡ *The particular Motives of*

† *Vind. against Diocese of Lond. p. 127.*

‡ *Remarks on Def. of Lichfield and Coventry, p. 4.*

*the Clergy are quite out of the case. If so, how inexcusable are they who have so often gone out of the Case to ascertain the particular Motives of so many of the Prosecutions in their Brief Account, and at the same time fix'd them on the Clergy. And though, || in another place, they say their Complaint was general and without respect of Persons, that they did not level it more at the Clergy than at the Laity; yet, elsewhere, we find them representing the Forbearance of the Clergy, as a thing designed, on purpose to prepare the Way for a severer Prosecution; and affirming, in relation to Instances of their great Patience, That there can be no * clearer Demonstration of Malice than a rigid Prosecution after several Years Premeditation. If it be said, It is a charitable Presumption the Clergy will take that Course to recover their Dues which is to them the shortest and easiest, they reply, † They have fully made appear that such Presumption is not a well-grounded or just Presumption. When it is urged on the behalf of the Clergy, that they are under a ‡ Necessity, on some occasions, of having recourse to the stated Courts, They call it, A plausible Pretence of Necessity*

|| *Vind. of Brief Account against Lond.* p. 7.

* *Ibid.* p. 10.

† *Ibid.* p. 16.

‡ *Remarks on Def. of Lond.* p. 24.

under which the Clergy would shelter their tender Characters from the deserved Imputation of Severity. And when it is suggested that a Clergyman may reasonably be supposed to prosecute some, in order, by those Examples, to bring others to a peaceable Compliance, they will not allow that such Prosecution can be carried on upon any other account than purely to satiate his Revenge; at the same time averring, that whether such proceeding be Christian or not, will admit of no Dispute where Clergymen are not concerned.

*This is that meek, mild, quiet People, who in Charity think no ill of, and endeavour to live peaceably with, their Neighbours: who * Christianly submit to the Penalties of the Laws, that they may keep their Consciences conformable to the Precepts of the Gospel; who, † where the more easy Method hath been taken, have not usually opposed the Justice's Decision by disputing the Churchman's Title. This is mighty well! But what becomes of that Conscience all the while, they talk so much of at other times? Will that make them ‡ dispute the Title only in the Ecclesiastical Court, in order to apply for a Prohibition? And does*

* *Remarks on Def. of Lichfield and Coventry, p. 6.*

† *Pref. to Brief Account, p. 10.*

‡ *Preface to Brief Account, p. 11.*

not such a Concession as this call in question their Love of Peace and Endeavours to avoid Expence; and look as if they sometimes intended nothing less than to make the *Churchman* (if he thinks it worth his while) dance attendance after them into *Westminster-Hall*; and to give him as much Trouble and Vexation as they possibly can?

They seem to be angry with the Proprietors of Tythes, &c. for offering to claim them by any other than a *Divine Right*. But why? Are not *human Laws* in many other cases made for the Support and Enforcement of those that are *Divine*; and recurr'd to without bringing the Authority and Validity of the others into question? Why then may not *Churchmen*, adding the *Wisdom of the Serpent* to the *Harmlessness of the Dove*, have recourse to the Laws of the Land upon these occasions, and tell the *Quakers* that, whatever are their Dues by the Laws of the Land ought to be consider'd as their *Property*, but immediately an Author must be cited, to put them in mind that † *They ought to have more Modesty than to call that a Property which they know to be only a Trust*. They acknowledge, (in the Words

† *Vindication against* London, p. 126.

of the same Author) that *Every private Interest, even Rights of Inheritance, must be governed by the Consideration of publick Interest.* True: But, of the Expediency and Fitness of what is to be done in such Cases, who is to judge, the *Legislature* or *They*? Why *They*, according to another favourite Author of theirs, whose Words are these; † *That any Parliament have Power to make any binding Laws for the Maintenance of those they call Ministers, for doing a Work which they call the Worship of God, and force People to submit to it, the clear Light of this Age doth generally condemn.*

Whence we see plainly, that as it is against their pretended Conscience to pay any thing toward the Maintenance of an *Establis'd Church*, so it is their Opinion that no Laws ought to be *made* to that Effect, and that *when made* they ought not to be obey'd. Agreeably to which, they call the Laws now subsisting for the Support of the *Church* in this Respect, * *A Yoke of Bondage*: And, after having passed such a Compliment upon the *Laws*, have the Assurance to tell the *Legislature* † *That*

† *Vindication against London*, p. 129. Marg.

* *Rem. on Def. of Lond.* p. 31.

† *Vind. of Brief Account against Lond.* p. 128.

they

they think it reasonable a Law should be made to exempt them, in particular, entirely from the Payment of Tythes. They represent † all Prosecutions according to those Laws as Persecutions, and “ lament “ that the great Blessing of Liberty of “ Conscience enjoyed under the Lenity of “ the present Administration, should be “ interrupted by such Proceedings;” forgetting that the *Act for Toleration*, &c. which allows and protects them in using their *Liberty of Conscience*, and contains all that *Lenity of the present Administration* they talk of, secures to *Church-men*, and requires *Quakers* to pay, *Church Dues* of all Kinds, in as ample manner as they were before established by the Statutes of the Realm.

But they think it * unreasonable that the *Clergy* should receive *Wages* from *Those* for whom they do nothing. If this Plea be a good one, it is what, not only *Dissenters* of all Denominations, but all *Infidels*, *Libertines* and *irreligious* Persons of all Sorts and Kinds, have as good a Title to as the *Quakers*. And whose is the Fault in this Case? the *Clergy's*, who are always ready and willing to instruct; or theirs,

† Pref. to Brief Account, p. 5.

* Vind. of Brief Account against Lond. p. 128.

who are never either ready or willing to hear? Should every one, who thinks proper, be left to do that which is right in his own Sight as to Payments of this Kind, which must end in utter Confusion; or, are the *Quakers* so unreasonable as to expect a special Exemption for themselves?

To this, they may reply, That whatever their Principles are at *bottom*, what they desire at *present* is only a Law to *compel Church-men* (if they will be so *cruel*, and *covetous*, and *selfish*, as to make any Demands upon them at all) to take a more *gentle* and *easy way* with them, in suing for their Rights, than hitherto they have chosen to do. Now whatever hinders a sensible honest Man from choosing that way which he likes best, must be what he cannot but, in his Heart at least, wish to be away. And why *Church-men* should be *distressed* in *suing* for their *legal Dues*, only to make the *Quakers easy* in their *refusing* the Payment of them, it will be hard for any one, but a *Quaker*, to assign a Reason.

To *prosecute* any one *unjustly*, or even *unnecessarily*, must be allowed to be a kind of *Persecution*. But then it must likewise be granted that, in all Cases, where a Man's *legal Right* is *denied* him, and he is *forced* to take the Trouble of *prosecuting*

ting before he can obtain it, that Man is really and truly the Person *persecuted*; and the more *troublesome, vexations, and expensive*, such *Law-Suit* is to him, the more he is *persecuted*. And consequently, in all those *Prosecutions* in the *Brief Account*, where it cannot be made appear that the *Demand* was *unjustly* made, or the *Suing* for it *unnecessary*, impartial Judges must see that the *Quaker* was the *Persecutor*, and the *Church-man* the Person *persecuted*.

To conclude; as, upon a Consideration of the whole Matter, it manifestly appears to be the Principle and Intention of the *Quakers* to get all those *Laws repealed* by which Men are obliged to pay to the Support and Maintenance of the *Church*; or, at least, to get a new *Law enacted* to make the Recovery of all such Payments as easy to themselves as possible, (they being resolv'd to dispute them Inch by Inch;) it is therefore the *Concern*, and ought to be the *Business* of every dutiful Son of the *Church of England* (all * being equally involved in the Case) carefully to watch the Motions of the *Quakers* upon

* They and their Friends and Relations being all liable to serve Church-Offices, if not to be Clergymen, Impropriators and Tythe-Farmers.

this and all such Occasions; wisely to suspect, knowing their Principles, that a Snake may lie in the Grass; and cautiously to examine whether the Relief they pretend to desire from any *new Law* may be innocently and safely granted them; that is, whether they can be indulged and humoured, in this Case, without any Inconvenience to the *Church-men* who are to have to do with them.

To the *Quakers*, who profess themselves to be of a *meek, calm, and quiet Spirit*; strict *Adherers to the Gospel*, and upon that Account ever ready * *christianly to submit to the Penalties of the Laws*; I would recommend an Imitation of the before-mentioned Example of our LORD; who † ordered the *Payment* demanded of him to be made to avoid *offending* against the *Laws* of the *Higher Powers*; though he knew himself to be *free*, and consequently that he ought to be exempted from it. And, since they *must* pay, to consider how much easier it would be for them, (than any *Act* that can be made in their Favour short of a total Exemption,) *either* to look upon these Payments rather as ‡ *Customary*

* *Rem. on Def. of Lich. and Cov.*

† *Matth. xvii. 27.*

‡ *Render to all their Dues, Custom to whom Custom, &c. Rom. xiii. 7.*

[39]

Dues than Mosaical Tythes, &c. or, after having made their Protest that they do not pay them in the latter Sense, to suffer the Demander to take his legal Due, meekly, passively, and resignedly; without making that Resistance, which must in the End prove to one, if not both, of the Parties concerned, turbulent, vexatious, and expensive. And, hoping that they will not ever the more for all these things, look upon Church-men as Enemies, but at most as Gospel-Adversaries; that is, such as they themselves oblige to be Plaintiffs at Law; I heartily recommend to their Consideration, and I hope future Practice, those applicable Words of our Blessed LORD;
** Agree with thine Adversary quickly, whiles thou art in the way with him; lest at any time the Adversary deliver thee to the Judge, and the Judge deliver thee to the Officer, and thou be cast into Prison: Verily, I say unto thee, thou shalt by no means come out thence, till thou hast paid the uttermost Farthing.*

* Matth. v. 25, 26.

F I N I S.

462

